

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/6/09
A Bill

HOUSE BILL 1408

5 By: Representative Rainey
6
7

8 **For An Act To Be Entitled**

9 AN ACT TO RESTRICT THE ENROLLMENT OF CHILDREN
10 SIXTEEN (16) YEARS OF AGE AND SEVENTEEN (17)
11 YEARS OF AGE IN ADULT EDUCATION PROGRAMS TO ALLOW
12 A PERSON OTHER THAN A PARENT TO AGREE ON STUDENT
13 PLACEMENT; AND FOR OTHER PURPOSES.
14

15 **Subtitle**

16 TO RESTRICT THE ENROLLMENT OF CHILDREN
17 SIXTEEN (16) YEARS OF AGE AND SEVENTEEN
18 (17) YEARS OF AGE IN ADULT EDUCATION
19 PROGRAMS.
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 *SECTION 1. Arkansas Code § 6-18-201(a)(4) and (5) concerning*
25 *compulsory attendance exceptions is amended to read as follows:*

26 *(4)(A) Any child ~~age sixteen (16) years of age or above older~~*
27 *who is enrolled in an adult education program as provided for in subsection*
28 *(b) of this section or in the Arkansas National Guard Youth Challenge Program*
29 *is not subject to the attendance requirement.*

30 *(B) The requirements in subsection (b) of this section*
31 *shall not apply to the Arkansas National Guard Youth Challenge Program; ~~and.~~*

32 ~~*(5) Any child age sixteen (16) or above enrolled in an adult*~~
33 ~~*education program prior to June 13, 1994, under a waiver granted by the local*~~
34 ~~*school district who is currently attending the program is not subject to the*~~
35 ~~*attendance requirement.*~~
36



1 SECTION 2. Arkansas Code § 6-18-201(b) concerning enrollment in
2 adult education programs is amended to read as follows:

3 (b) A local school district may grant a waiver of the attendance requirement
4 to any student ~~age~~ sixteen (16) or seventeen (17) years of age to enroll in
5 an adult education program only after all of the following requirements have
6 been met:

7 (1)(A) The student attends an alternative learning environment
8 program before enrolling in an adult education program.

9 (B) If, after a formal assessment is conducted by the
10 alternative learning environment program, it is determined that an adult
11 education program is in the best interest of the student, the student may be
12 referred to an adult education program;

13 ~~(1)(2)~~ The student makes formal application to the school
14 district for a waiver to enroll in an adult education program;

15 ~~(2)(3)(A)~~ After formal application and prior to any further
16 action on the application, the student shall be administered either a test
17 for adult basic education or a General Educational Development Practice Test
18 under standardized testing conditions by a public school official designated
19 by the school and shall score 8.5 grade level or above on the test for adult
20 basic education or a minimum score of four hundred fifty (450) on each
21 section and a minimum composite score of four hundred ninety (490) on the
22 General Educational Development Practice Test.

23 (B) Provided, however, that the minimum test scores shall
24 not be required of any student who is subject to the attendance requirement
25 of this section but who was not enrolled in any school district during the
26 previous school year;

27 ~~(3)(4)~~ The student and the student's parents, guardians, or
28 persons in loco parentis meet with the school counselor to discuss academic
29 options open to the student;

30 ~~(4)(5)~~ The school district determines that the student is a
31 proper candidate for enrollment in adult education, contingent upon approval
32 by the appropriate adult education program;

33 ~~(5)(6)~~ The adult education program reviews the student's school
34 and testing records and agrees to admit the student into the adult education
35 program;

36 ~~(6)(7)~~ The adult education program shall report attendance of

1 all sixteen-year-old and seventeen-year-old enrollees to the sending school
2 district on at least a monthly basis;

3 ~~(7)~~(8)(A) The adult education program shall require for
4 continued enrollment a minimum of twenty (20) hours per week of class
5 attendance and instruction.

6 (B) Provided, however, that a minimum of ten (10) hours
7 shall be required for any student who is employed for thirty (30) hours or
8 more each week;

9 ~~(8)~~(9) The student, the student's parents, guardians, or persons
10 in loco parentis, and the administrative head of the adult education program
11 agree in writing that the student will attend the requisite number of hours
12 per week and maintain appropriate conduct as outlined in the local adult
13 education program student handbook;

14 ~~(9)~~(10) In the event that a more appropriate assessment test or
15 testing and assessment mechanism shall be developed to determine a reasonable
16 level of competency for success at the adult education level, that test or
17 mechanism shall be substituted, with the approval of the Adult Education
18 Section of the Department of Workforce Education, for the tests required in
19 subdivision (b)(2) of this section;

20 ~~(10)~~(11) In the event that a student does not attend class as
21 mandated in this subsection or make reasonable progress toward the completion
22 of the adult education curriculum, the student shall reenroll in a public
23 school within five (5) days from the date the student is released from the
24 adult education program; and

25 ~~(11)~~(12) The requirements in this subsection (b) shall not apply
26 to students enrolled in a private, parochial, or home school in the state.

27

28 SECTION 3. Arkansas Code § 6-18-201(f) concerning enrollment in school
29 is amended to read as follows:

30 (f)(1) Any child who will be six (6) years of age on or before October
31 1 of the school year of enrollment and who has not completed a state-
32 accredited kindergarten program shall be evaluated by the school district and
33 may be placed in ~~the first~~ grade one (1) if the:

34 (A) ~~results~~ Results of the evaluation justify placement of
35 the child in ~~this first~~ grade one (1); and

36 (B) ~~the child's~~ Child's parent, guardian, or persons in

1 loco parentis ~~agrees~~ agree with placement of the child in ~~the first~~ grade one
2 (1).

3 (2) Otherwise, the child shall be placed in kindergarten.
4

5

6

7

/s/ Rainey

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36